

**ATTACHMENT B**  
**AFFIDAVIT OF SPECIAL AGENT JERRY WINE**  
**UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND**  
**EXPLOSIVES**

I, Jerry Wine, being first duly sworn, do hereby depose and state the following:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been for nearly five years. Prior to my current employment with ATF, I was a Springfield, Missouri, Police Department (SPD) officer for 13 years. As an SPD officer, I was assigned to the Special Investigations Unit (SIU) for five years and spent two years as a Task Force Officer with ATF. In 2014, I completed three months of training at the Federal Law Enforcement Training Center (FLETC) to gain my certification as a Federal Law Enforcement Officer. After successfully completing the FLETC academy, I successfully completed the ATF's Special Agent Basic Training Academy at the FLETC campus. The academy covered a variety of Federal Violations of Law defined under 18 U.S.C. and 21 U.S.C., including the possession of firearms, and I have also received specialized training into the recognition, detection, and the interdiction of controlled substances. I have also conducted numerous investigations and assisted in the execution of over 300 search warrants related to those crimes, and have arrested suspects as a result of those investigations.
2. This affidavit is in support of a criminal complaint charging Donald ESTELL, Jr (ESTELL) with possession of a firearm by a convicted felon, in violation of Title 18, United States Code, Section 922(g)(1).
3. The information contained in this affidavit is based upon my own investigation, oral and written reports by other law enforcement officers, and other investigative techniques. The dates and times in this affidavit are approximate. Because the purpose of this affidavit is to set forth

only those facts necessary to establish probable cause for this criminal complaint, I have not described all of the relevant facts and circumstances of which I am aware.

4. On November 30, 2017, U.S. Magistrate Judge David P. Rush authorized the Drug Enforcement Administration (DEA) to obtain GPS and other location data for telephone number 816-582-8028 (ESTELL Telephone), a number associated with ESTELL.

5. On December 10, 2017, at approximately 7:58 a.m. while monitoring the ESTELL Telephone, DEA Task Force Officer (TFO) Brett Leslie observed the ESTELL Telephone was traveling towards Springfield, Missouri, from Kansas City, Kansas. At about 9:02 a.m. the ESTELL Telephone was at Highway 7 north of Clinton, Missouri. At about 9:18 a.m. the ESTELL Telephone was at Highway 13 just north of Lowery City, Missouri. At about 9:34 a.m. the ESTELL telephone was at Highway 13 just north of Collins, Missouri.

6. At approximately 10:30 a.m. Missouri State Highway Patrol (MSHP) Trooper C. Clark was contacted by DEA TFO Dan Banasik and requested to assist in locating ESTELL's vehicle. Trooper Clark located a 2010 Chevrolet Malibu bearing Kansas license plate 553-KGE, and conducted a traffic stop at or near Highway 13 and Highway KK in Polk County, Missouri.

7. Trooper Clark identified the operator of the Chevrolet Malibu as ESTELL, and the vehicle also contained the ESTELL Telephone. Trooper Clark requested MSHP Trooper Barrett respond and conduct a K9 sniff due to ESTELL denying consent to search. Trooper Barrett's K9 partner and he are certified in the scents of narcotics through the Missouri Police Canine Association. The K9 alerted to the vehicle.

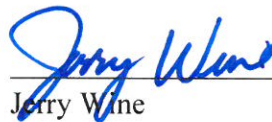
8. Troopers Clark and Barrett conducted a search of the vehicle and located a Glock brand, model 17, 9mm, semi-automatic pistol, bearing serial number BBPZ862 under the floor mat of the driver's-side, front seat. The firearm had a fully loaded and seated magazine. Trooper Clark

identified the handgun as stolen from Springfield, Missouri. During the search, MSHP Corporal Zachary Bryan located approximately .4 grams of methamphetamine in the floor board behind the driver's seat.

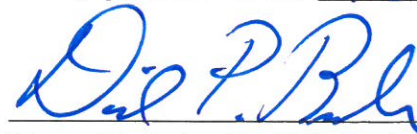
9. The firearm seized from ESTELL on December 10, 2017, was test fired on December 13, 2017, by your affiant, and determined to function as designed. The information about the firearm was also provided to ATF SA Brian Fox, an interstate nexus expert, on December 14, 2017, who determined that it had traveled in interstate commerce to arrive in Missouri prior to ESTELL's possession of it.

10. ESTELL has at least one conviction for a crime for which possible punishment exceeded one year, including possession with the intent to distribute cocaine base in the United States District Court, District of Kansas, case number 04-CR-20025-KHV-1.

I swear/affirm that the above information is true and correct to the best of my knowledge and belief.

  
Jerry Wine  
Special Agent, ATF

Subscribed and sworn to before me in my presence on the 18<sup>th</sup> day of October, 2018, at 2:47 a.m. (p.m.)

  
Honorable Judge David P. Rush  
United States Magistrate Judge  
Western District of Missouri